

Message Text

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ACTION L-02

INFO OCT-01 EUR-12 ISO-00 SCA-01 PM-03 NSC-05 SP-02 SS-15

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FM AMEMBASSY BELGRADE

TO SECSTATE WASHDC 1398

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E.O. 11652: N/A

TAGS: CGEN YO

SUBJ: PROPOSED RESPONSE TO SFRY PRO MEMORIA

REF : STATE 262370

SUMMARY. OUR RESPONSE TO PRO MEMORIA PRESENTED TO FSFA. YUGOSLAVS, HOWEVER, CONSIDER QUESTION CLOSED, AND PROSPECTS FOR FURTHER PROGRESS AT MOMENT ARE QUITE DIM. END SUMMARY.

1. ON DEC 2, CHARGE PRESENTED EMB NOTE NO. 37 CONTAINING USG RESPONSE, AS AMENDED (REFTEL) TO RADOVAN UROSEV, DIRECTOR OF OFFICE FOR CONSULAR AFFAIRS, FEDERAL SECRETARIAT FOR FOREIGN AFFAIRS (FSFA). CHARGE POINTED OUT THAT DEPT HAD GIVEN CAREFUL STUDY TO PRO MEMORIA AND ITS LIMITED CONCESSION FOR CONSULAR ACCESS TO DUAL NATIONALS WHOSE CRIMES ARE NON-POLITICAL. HOWEVER, HE ASKED FOR FURTHER CONSIDERATION OF USG PROPOSAL OF SEP 27, 1973, AND OFFERED ANY ADDITIONAL CLARIFICATIONS OR DISCUSSIONS THAT GOY MIGHT DESIRE, WITH EXCEPTION THAT YUGOSLAV VIEWS WOULD BE CONVEYED IN REPLY TO OUR NOTES.

2. UROSEV TOOK FIRM LINE THAT GOY POSITION, AS EXPRESSED IN PRO MEMORIA, HAD BEEN APPROVED AT "HIGHEST POLITICAL LEVEL" IN GOY, AND FSFA WAS NOT AUTHORIZED TO GO BEYOND IT, ESPECIALLY
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IF WE WANTED TO DISCUSS QUESTION OF CONSULAR PROTECTION OF

PERSONS GOY CONSIDERS TO BE ITS CITIZENS. FSFA WOULD STUDY NOTE, AND WAS QUITE WILLING TO DISCUSS CONSULAR PROTECTION FOR EXCLUSIVELY AMERICAN CITIZENS (NOT DUAL NATIONALS).

3. ON DEC 5, VISITING EUR/EE DIRECTOR ANDREWS MET WITH SVETISLAV TODOROVIC, UROSEV'S DEPUTY, AND WAS ALSO TOLD THAT PRO MEMORIA CONSTITUTES DEFINITIVE GOY VIEW REACHED AFTER NEARLY 3 YEARS OF EXHAUSTIVE CONSULTATIONS WITH GOY. FSFA CONSIDERS PRO MEMORIA TO BE CONCLUSIVE ANSWER TO OUR PROPOSAL, (EMB NOTE OF SEP 27, 1973), AND WOULD APPRECIATE IT IF USG WOULD RECOGNIZE IT AS SUCH. GOY HAD MADE SINCERE EFFORT TO ACCOMMODATE USG VIEWS, AND CONCESSIONS CONTAINED IN PRO MEMORIA WERE AS FAR AS THEY COULD GO. FSFA IS THEREFORE NOT PREPARED TO REOPEN THIS QUESTION, WHICH IT CONSIDERS CLOSED.

4. WHILE USG DOES NOT EXPECT GOY TO IMMEDIATELY RECONSIDER ITS POSITION, ANDREWS EXPRESSED HOPE THAT GOY WOULD BE PREPARED TO DISCUSS SPECIFIC CASES INVOLVING DUAL NATIONALS IF AND WHEN THEY ARISE.

5. COMMENT. FSFA MESSAGE COULD NOT BE MORE CLEAR THAT PRO MEMORIA IS BOTTOM LINE FOR NOW ON QUESTION OF CONSULAR ACCESS TO DUAL NATIONALS. THUS, IT WOULD SEEM PRUDENT FOR TIME BEING TO GIVE PRO MEMORIA A CHANCE TO WORK, TO SEE IF ITS PRACTICAL APPLICATION HOLDS MORE BENEFITS THAN WE NOT PERCEIVE. IF DUAL NATIONAL PROBLEMS (WHICH ARE LIMITED TO HANDFUL) WERE TO INCREASE IN NUMBER OR IMPORTANCE, WE WOULD THEN HAVE STRONGER CAUSE TO REOPEN QUESTION.

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